

REMARKS/ARGUMENTS

The present application was originally filed with claims 1-52. By a prior Amendment, the Applicant canceled claims 1-52, without prejudice or disclaimer, and added new claims 53-90. By the present Amendment, claims 53-60, 63 and 67-71 are amended. In addition, claims 72-90 are withdrawn in response to a Restriction Requirement by the Examiner and pending the filing of one or more continuing applications. Accordingly, claims 53-71, as herein amended, are presently under review, and reconsideration of these claims is respectfully requested.

I. REJECTIONS UNDER 35 U.S.C. §112

The Examiner has rejected claims 53-71 under 35 U.S.C. §112, second paragraph, as allegedly being indefinite for using the terms "first enterprise" and "second enterprise." While the Applicant may not necessarily agree with this position, the claims have been amended to remove the use of these terms, and now employ the terms "first business advertiser" and "second business advertiser." While the Examiner had expressed concerns that the term "enterprise" could be created, merged, or destroyed, and thus may cause definiteness concerns, a "business advertiser" in many cases is an individual. Accordingly, such a concern should now be alleviated as well.

The Examiner has also rejected claim 53 (although claim 58 is expressly rejected in the pending Office Action, it is believed the Examiner intended to rejection independent claim 53 on the stated grounds) under 35 U.S.C. §112, second paragraph, as allegedly being indefinite for using the terms "first document source" and "second document source." In response, the Applicant has amended the claims to recite that the virtual documents are provided by a single document server. Accordingly, it is believed that this rejection has also been overcome.

II. REJECTIONS UNDER 35 U.S.C. §102

The Examiner has rejected claims 53-71 under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent No. 6,915,271 to Meyer *et al.* In response, the Applicant has amended independent claim 53 to be distinguishable from Meyer. Thus, the Applicant respectfully asserts that Meyer does not disclose all of the elements of independent claim 53, and its dependent claims, as herein amended.

Specifically, with reference to amended independent claim 53, Meyer initially does not disclose the combination of elements expressly recited in claim 53, where first and second documents are associated with a consumer and provided to a network database by a single document providing server in response to that consumer's selection of incentives provided to distribution partners distributing the incentives.

In contrast, Meyer provides a wholly enclosed and private system and method where incentives reside on an incentive database 107, and where information regarding consumers and their selected incentives resides on a member database 11. *See* Fig. 1 of Meyer; col. 6, lns. 44-50; col. 10, ln. 43, to col. 11, ln. 40. The private system therefore creates the incentives, then places the incentives on a network for potential consumers to find, and once selected by a consumer, the selective incentives are associated with the consumer's membership information stored on the member database within the same private system. As a result, the incentives are created in Meyer's private system, the incentives are placed in the network by the private system, selected incentives are associated with consumers by the private system, and the consumer's information and selected incentives are stored by and within the private system.

In the present claims, however, incentives are created by any business advertisers seeking to promote their business. Thus, the incentives are not created with a single, private system.

Incentives created by the business advertisers are then distributed by distribution partners. Again, the distribution of incentives is not provided by a single, private system. Once a consumer selects an incentive, that selection is provided to the distribution partner distributing the incentive. In response to consumer's selection being received by the distribution partner, a single document server transmits a virtual document to the consumer, where the virtual document contains identification information regarding the incentive and the business advertiser. The virtual document is sent to a network database where it is stored in a data record associated with the consumer. Therefore, a key advantage of the requirements of the present claims is that only the consumers are associated with the database storing the selected virtual documents, while the creators and distributors of the incentives need not have any association with the consumer database. The creators and distributors of the incentives are instead associated with the single document source, which transmits the virtual documents to the consumer database once a consumer's selection is provided to a distributor of an incentive. In contrast, Meyer requires that the creation, distribution, selection and storing of incentives all be provided by the same private system that consumers join.

Furthermore, amended claim 53 requires that categorization of at least first and second virtual documents in the data record of a consumer, where those virtual documents contain information identifying incentives created by business advertisers and distributed by distribution partners unassociated with the consumer database on the network-connected computer. Specifically, those virtual documents are categorized in categories of the consumer's data record according to classifications provided in attribute files of the first and second virtual documents. In contrast, Meyer does not disclose such categorization of multiple virtual documents based on incentives created and provided by advertisers and distribution partners unassociated with the

consumer database where the documents are stored. Therefore, another key feature provided by the present claims is the categorization of multiple virtual documents based on incentives provided by any number of merchants or other parties unassociated with the consumer database.

For at least the above reasons, Meyer does not anticipate independent claim 53, as herein amended. Thus, Meyer does not anticipate the claims dependent on claim 53. Accordingly, the Applicant respectfully requests that the Examiner withdraw the rejection of the present claims.

III. CONCLUSION

The Applicant submits that claims 53-71 are allowable, and therefore a Notice of Allowability is respectfully requested. The Examiner is requested to contact the Attorney of Record in needed to expedite prosecution of the present application, or to discuss any of the above arguments in further detail.

The three-month response deadline for the pending Office Action expired on July 29, 2008; thus, a request for a one-month extension of time is also being filed with this Amendment. Thus, the period for response is extended to August 29, 2008. If any other fee is believed due with this filing, the Director is hereby authorized to charge Deposit Account No. 13-0480 for any such fees, referencing the Attorney Docket Number specified herein.

Respectfully submitted,

/James H. Ortega/

Date: August 22, 2008

James H. Ortega, Reg. No. 50,554
BAKER & MCKENZIE LLP
2001 Ross Avenue, Suite 2300
Dallas, TX 75201
Tel: (214) 978-3058